

# LEGAL NOTICE

## Obituaries

### Patricia Ballew Suttles

Mrs. Patricia Ballew Suttles, age 73, of Nebo, passed away following a period of declining health on Saturday, May 9, 2020 at Mission Hospital in Asheville. She was born in Marion on September 26, 1946 to the late Calvin Ballew and Irene Washburn Ballew. Mrs. Suttles attended Pleasant Gardens High School where she played basketball on the same team with her sister Doris. She worked at a variety of professions during her work career including Nebo Elementary School, Henredon, Baxter Healthcare and Kelly's Jewelry Store. But the job she loved most was as the Activity Coordinator at Sunrise Rehabilitation and Care where she brought joy to many of the patients being cared for there. Mrs. Suttles was a faithful and active member of Bethel Free Will Baptist Church and she loved helping decorate the church during the various holidays and for activities being held there. She loved to travel and do craftwork but what brought her the most pleasure was spending time with her family, especially her grandchildren.

Surviving are her husband of 56 years, James Edward Suttles; two children, Mike Suttles and wife Stephanie of Nebo and Dianna Greer and husband Tim of Valdese; her sister, Doris Deaton and husband Clarence of Burnsville; six grandchildren, Andrew Suttles and wife Nora, Kendel Bengel, Roxanna Suttles, Jonathan Greer and wife Ashley Scotty Greer and wife Maura, and Patrick Greer; and five great-grandchildren, Emma, Zack and Riley Ross, Ethan Suttles, and Erin Greer.

A funeral service was held on Tuesday, May 12, 2020 at 2:00 p.m. at Bethel Free Will Baptist Church with Rev. Ray Stockton and Rev. Larry Anderson officiating. Burial followed in the church cemetery. Those desiring to make a memorial contribution in her memory are encouraged to consider the Building Fund at her church and can be sent to PO Box 236, Nebo, NC 28761.

Westmoreland Funeral Home is assisting the family with arrangements. Fond memories and expressions of sympathy may be shared at [www.westmorelandfuneral-home.com](http://www.westmorelandfuneral-home.com).

### Guardian ad Litem seeking volunteers

The NC Guardian ad Litem Program is seeking volunteer advocates to represent abused and neglected children in Yancey, Mitchell and Madison.

Training sessions are held periodically for those who would like to volunteer with this program to advocate for local children.

Participants from Mitchell and Madison counties are also strongly encouraged to participate as there are many children who still do not have a volunteer assigned to them.

If you have any questions or would like to learn more about the local Guardian ad Litem program, please call Erica Edwards at 828-682-4754 or visit [volunteerforgal.org](http://volunteerforgal.org).

### LEGAL NOTICE IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION NOTICE TO CREDITORS

Having qualified as Administrator of the Estate of Regina Ann Hughes of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 13th day of August, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 13th day of May, 2020.  
Teresa L. Hughes  
1745 Blevins Branch Road  
Bakersville, NC 28705  
Published May 13, 20, 27, June 3, 2020

### LEGAL NOTICE NOTICE OF PERSONAL REPRESENTATIVE

Having qualified before the Clerk of the Superior Court of Yancey County as Personal Representative of the Estate of Hubert Gary Smith, deceased, this is to notify all persons having claims against the estate of said decedent to present them, duly itemized and verified, to the undersigned on or before August 14, 2020 or this notice will be pleaded in bar of their recovery.

All persons indebted to the estate of said deceased are hereby requested to make prompt settlement with the undersigned.

This the 5th day of May, 2020.  
Tracy Grant, Personal Representative of the Estate of Hubert Gary Smith, Deceased  
c/o Dale W. Hensley, Attorney  
PO Box 1570  
347E US Highway 19E Bypass  
Burnsville, NC 28714  
Published May 13, 20, 27, June 3, 2020

### LEGAL NOTICE IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION NOTICE TO CREDITORS

Having qualified as Executor of the Estate of Everett McNeill Kivette of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 22nd day of July, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 22nd day of April, 2020.  
Paul Badgley, Executor  
Everett McNeill Kivette Estate  
9 East Main Street  
Suite 200  
Burnsville, NC 28714  
Published April 22, 29, May 6, 13, 2020

### LEGAL NOTICE PUBLIC NOTICE TEMPORARY CLOSURE OF YANCEY-MITCHELL LANDFILL

May 11, 2020 - May 23, 2020  
Beginning on May 11th the Yancey-Mitchell Landfill will be temporarily diverting all trash to the Avery County Landfill. This will allow for repairs to be made to the transfer station floor and driveway. The Yancey-Mitchell Landfill will re-open for regular operation on May 25th.

We appreciate your cooperation and understanding. All Convenience Centers will be operating regular hours during this time.

The Avery County Landfill is located at:  
2175 STATE ROAD 1101  
SPRUCE PINE, NC 28777  
Published May 6, 13, 20, 2020.

### LEGAL NOTICE IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION NOTICE TO CREDITORS

File No. 19 E 289  
Having qualified as Administrator, CTA of the Estate of Frank Norman Tuller of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 6th day of August, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 6th day of May, 2020.  
J. Todd Bailey  
P.O. Box 217  
Burnsville, NC 28714  
Published May 6, 13, 20, 27, 2020

### LEGAL NOTICE ADVERTISEMENT FOR BIDS

Town of Burnsville  
OMC Pump Station and Water Treatment Plant Improvements  
Project No. H-SRP-D-17-0095 & E-SPR-W-17-0063

Sealed bids for the project entitled OMC Pump Station and Water Treatment Plant Improvements will be received by the Town of Burnsville until 2:00 p.m. local time June 4, 2020, in the Town of Burnsville Town Hall Board Room located at 2 Town Square Burnsville, North Carolina 28714. At said place and time, all Bids that have been duly received, will be publicly opened and read aloud.

The project generally consists of: Construction of a 45,000-gallon equalization tank at the Town water treatment plant, approximately 1125 LF of 6-inch PVC effluent drain line, manholes and appurtenances to connect the equalization tank to the existing permitted drain system and sewer system, replacement of the existing OMC wet pit/dry pit sewage pump station with a new suction lift pump station including all necessary appurtenances, and reconfiguration of the water treatment plant discharge piping.

The Bidding Documents for the project may be examined at the following locations during normal business hours:

Town of Burnsville 2  
Town Square Burnsville, North Carolina

McGill Associates, PA  
55 Broad Street Asheville, North Carolina

Digital copies of Bid Documents are available for purchase at [www.mcgillengineers.com](http://www.mcgillengineers.com) for a fee of \$75 per set. These documents may be downloaded by selecting this project from the "Bids" link and by entering Quest Project Number 7068559. For assistance and free membership registration, contact QuestCDN at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com).

Each bid shall be accompanied with a cash deposit or certified check drawn on a bank or trust company insured by the FDIC or a Bid Bond prepared on the form of Bid Bond contained in the Bidding Documents or a Surety Company's standard form and properly executed by a corporate surety licensed under the laws of North Carolina to execute such bonds. The amount of the bid bond shall be equal to five (5) percent of the total of the bid. The bid deposit shall be retained by the Owner if the successful bidder fails to execute the contract or fails to provide the required bonds, as stated above, within ten (10) days after the proper notice of award of the contract. No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

Bidders must comply with the requirements of the State of North Carolina and be appropriately licensed as a Contractor as provided in General Statutes Chapter 87.

Neither the Owner nor the Engineer will be responsible for full or partial sets of Bidding Documents, including any Addenda, obtained from any source other than the Owner's representative, McGill Associates, P.A. Each Bidder shall be responsible for the review of all addenda for the project and shall acknowledge the addenda on the bid form.

The Owner reserves the right to reject any and all Bids, to waive informalities, or to reject non-conforming, non-responsive, or conditional bids. The Owner reserves the right to award a contract to the lowest, responsive, responsible bidder or bidders, taking into consideration quality, performance and time.

Bidders must make positive efforts to offer employment, training and contracting opportunities in accordance with Section 3 of the Housing and Urban Development Act of 1968. Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract.

The Burnsville is committed to and supportive of efforts

to effectively maintain and/or increase HUB contract participation for Construction Projects, services (including professional and consulting services) and commodities purchases. The Town of Burnsville encourages all Town of Burnsville and Yancey County HUB firms to participate in procurement and contracting activities. The Town of Burnsville is recognizing its responsibilities to the communities it serves and the society in which it conducts business. The use of Historically Underutilized Businesses must be a function of our normal purchasing/contracting procedures, just as equal employment opportunity must be an integral part of normal personnel policy and procedures. No potential supplier/contractors will be precluded from consideration on the basis of race, color, religion, sex, age or national origin.

The Town of Burnsville is committed to provide small, minority, and women business enterprises equal access to opportunity for participation in Town of Burnsville contracts for Construction, Professional Services, Other Services, and Goods and Supplies. The Town of Burnsville encourages all Town of Burnsville and Yancey County M/WBE firms to participate in procurement and contracting activities. The Town of Burnsville is recognizing its responsibilities to the communities it serves and the society in which it conducts business. The use of minority and women business enterprises must be a function of our normal purchasing/contracting procedures, just as equal employment opportunity must be an integral part of normal personnel policy and procedures. Minority, Women, and Historically Underutilized Businesses or individuals are encouraged to participate. No potential supplier/contractors will be precluded from consideration on the basis of race, color, religion, sex, age or national origin. The Town of Burnsville is an Equal Opportunity Employer.

This project is being funded in whole by the North Carolina Department of Water Infrastructure through State Reserve Project (DWSRP) Grants and Loans. All DWSRP requirements will apply to the contract. Bidders must comply with the President's Executive Order No. 11246 as amended, which prohibits discrimination in employment regarding race, creed, color, sex or national origin. Bidders must comply with Title VI of the Civil Rights Act of 1964, the Anti-Kickback Act, the Contract Work Hours Standard Act, and 40 CFR 33.1016, and 40 CFR 60-4 and all other DWSRP contract provisions.

This information is available in Spanish or any other language upon request. Please contact Theresa Coletta at 828-682-2420 or 2 Town Square Burnsville, NC 28714 for accommodations for this request.

Esta información está disponible en español o cualquier otro idioma bajo petición. Por favor, póngase en contacto con Theresa Coletta al 828-682-2420 o al 2 Town Square Burnsville, NC 28714 del alojamiento para esta solicitud.

An Equal Opportunity / Affirmative Action Employer



Theresa Coletta, Mayor,  
Town of Burnsville  
Published May 13, 2020

### MY Meds Medication Ministry

MY Meds Medication and Health Ministry is a local non-profit organization that provides help to Mitchell and Yancey County residents who have no prescription health plan and often have to decide between buying food and buying medicine. No one should have to make that choice.

If you need help paying for needed prescription medications call MY Meds office at 766-6337.

### LEGAL NOTICE NOTICE OF SECOND PRIMARY ELECTION YANCEY NORTH CAROLINA

A second primary election will be held on Tuesday, June 23, 2020 in Yancey County to vote in the following contests: (REPUBLICAN) US HOUSE OF REPRESENTATIVE DISTRICT 11.

Voters will not be required to show photo ID when they vote in the second primary election on June 23, 2020. In a December 31 order, a federal district court blocked North Carolina's voter photo ID requirement from taking effect. The injunction will remain in place until further order of the court.

Polls will be open from 6:30 a.m. to 7:30 p.m. on the day of the election, Tuesday, June 23. One-stop early voting will be held at the Yancey County Board of Elections. One-stop early voting will be open weekdays from 8:30 am until 5:00 pm, beginning Thursday, June 4 through Friday, June 19, and Saturday, June 20 from 8:00am until 3:00pm. Canvass will be held in the Yancey County Board of Elections office at 11:00 a.m. on Monday, July 6, 2020.

Absentee voting by mail is available. Requests for an absentee ballot must be made on an absentee request form (available on the State Board of Elections website and at the county board of elections office), and must be received in the Yancey County Board of Elections office by 5:00 p.m. on Tuesday, June 16. Completed request forms may only be returned in-person to the Yancey County Board of Elections by the voter, the voter's near relative or verifiable legal guardian, or by a Multipartisan Assistance Team, or delivered by the U.S. Postal Service or designated delivery service (DHL, FedEx, or UPS). Absentee voting requires the voter to complete an application on the return envelope that must be witnessed by two qualified persons or a notary public. Completed absentee ballots must be returned to Yancey County Board of Elections by 5:00 p.m. on Election Day (ballots received by mail after this time will be timely if received within three business days and postmarked by Election Day). Voters may receive assistance voting a mail-in absentee ballot from a near relative or verifiable legal guardian, or by a qualified person of their choice if a near relative or legal guardian is not available. If the voter lives in a facility such as a nursing home, and the voter's near relative or legal guardian is not available, the voter or the facility can arrange to have the county board of elections schedule a visit by a Multipartisan Assistance Team to provide assistance and serve as witnesses.

All persons who are registered as Republican or Unaffiliated voter's that voted a Republican ballot or did not vote in the March 3rd Primary may vote in this election. Voters voting in person are entitled to assistance by an election official, or, if assistance is needed due to disability or illiteracy, by a qualified person of their choice. Voting sites are accessible to all voters. Curbside voting is available for voters who are not able to enter voting sites.

Persons with questions about registration, polling places, early voting, absentee ballots, a Multipartisan Assistance Team visit to a facility, or other election matters may call the Yancey County Board of Elections Office at (828) 682-3950.

Gary Boone, Chairman  
Yancey County Board of Elections  
Published May 13, 20, 27, June 3, 2020.

### Meals on Wheels needs volunteers

Meals on Wheels needs volunteers to deliver meals any weekday from 10:30 to noon to Yancey County's shut-ins. For information call the Senior Center at 682-6011.

### LEGAL NOTICE BURNVILLE TO HOLD PUBLIC HEARING

The Town of Burnsville is seeking to closeout its Community Development Block Grant Infrastructure Program #16-1-2915 sewer line rehabilitation at Peterson Trailer Park located off Love Fox Road. The project included installation of 2,006 linear feet of new sewer line and 1,842 linear feet service lines benefiting 126 residents, 98% of whom are low and moderate income individuals. The total CDBG-I expenditure for the project was \$774,072.68.

A public hearing will be held on, June 4, 2020 at 6:00 pm at the Burnsville Town Center located at 6 South Main Street, Burnsville, NC to obtain citizen input regarding the project's closeout.

Due to public health and safety concerns amid the Covid-19 pandemic and Executive Orders from the Governor of North Carolina restricting the number of persons allowed to gather in public places the meeting will be CLOSED to the public. Per the State Law, S.L. 2020-3, SB 704, modifying rules governing public hearings effective May 4, 2020 for meetings conducted under a Declaration of State of Emergency by the Governor or General Assembly the public may listen to the hearing by streaming live at Burnsville Town Center channel on YouTube and public comment will be taken in the manner prescribed below.

Public Comment will be taken in the following manner:

1. Any public comment may be submitted via email at any time after the posting of this Notice up and through 24 hours after the public hearing to the following email address [publiccomment@townofburnsville.org](mailto:publiccomment@townofburnsville.org) ;
2. The commenter must state his/her name and address.
3. Action may not be taken by the Council until more than 24 hours after the public hearing is closed.

Citizens will be given the opportunity to provide written comment on the project at the public hearing. All interested citizens are encouraged to listen to the public hearing and make comment.

If additional information is needed, please contact the Town of Burnsville at (828) 682-2420.

Persons with disabilities or who otherwise need assistance should contact Jeanne Martin, at (828) 682-2420 or [clerk@townofburnsville.org](mailto:clerk@townofburnsville.org) (Relay North Carolina #711) by March 23, 2020. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact Jeanne Martin at (828) 682-2420 or at 2 Town Square, Burnsville, NC 28714 for accommodations for this request.

Esta información está disponible en español o cualquier otro idioma bajo petición. Por favor, póngase en contacto con Jeanne Martin al (828) 682-2420 o en 2 Town Square., Burnsville, NC 28714 de alojamiento para esta solicitud.

Published May 13, 2020.

### LEGAL NOTICE IN THE GENERAL COURT OF JUSTICE, YANCEY COUNTY NORTH CAROLINA SUPERIOR COURT DIVISION NOTICE TO CREDITORS

Having qualified as Administrator of the Estate of Jearldine Tipton of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 13th day of August, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 13th day of May, 2020.  
Stephen Tipton  
1824 Rice Road  
Burnsville, NC 28714  
Published May 13, 20, 27, June 3, 2020

# Classifieds

**EMPLOYMENT**  
**Help Wanted: CSR**  
 (Customer Service Representative) Local Insurance Office in Burnsville. Full-time or part-time 682-9778. Call for appointment

**EMPLOYMENT**  
 Genesis Academy Inc. has positions available for summer and fall sessions. Both full and part time positions available. Will need to complete a background check. Pay schedule depending on experience. **Contact (828) 674-4363 between 8:00 a.m. and 6:30 p.m. for details.**

**THURSTON ASSOCIATES REAL ESTATE**  
 Full service company selling acreage, lots, Residential, waterfront and does Property Management  
**828-682-4552 or 284-2473**  
 Jacquie Thurston  
 Thurston Associates Real Estate  
 1040K East US Hwy 19E  
 Burnsville, NC 28714  
 828-682-4552  
 Fax: 828-682-6056  
 jacquie@thurstonassociates.com  
 www.thurstonassociates.com  
 EcoBroker Certified

**Mountain Landowners! Get Top Price for Your Land!**  
 Quality Properties I have SOLD in recent weeks:  
 \* SOLD! 15 acre farm and old house on Moses Branch: \$220K  
 \* SOLD! 15.7 acre meadow in Jack's Creek area: \$175K  
 \* SOLD! 7 Acres of bottomland on Cane River: \$91K  
 \* UNDER CONTRACT! House and 37 acres in South Toe: Very good price  
 The land market is improving! And it's Spring.  
 Call me this week to sell your land.  
 Buying or Selling Land? Call a specialist  
**Robert Towe, Biologist and Forester**  
 Author of "Roaming Around Yancey"  
 mountainacreage@frontier.com ~ 828.253.7055  
 See sample properties at mountain-acreage.com

**EMPLOYMENT**  
**Mountain Air COUNTRY CLUB**  
 Mountain Air Country Club located a mile in elevation in beautiful Burnsville North Carolina is interviewing for positions to start the upcoming season. Employment will begin by the first of June. Phone interviews will start immediately, with in-person interviews to follow. Most positions will be part-time (available hours 25-30 per week) with excellent pay.  
 The days needed are Monday through Sunday, and shifts are AM or PM (7 am-2 pm, 10 am-4 pm and 4 pm-11 pm). To apply go to <https://mountainair.easyapply.co>  
 Mountain Air Country Club is an Equal Opportunity Employer.

**EMPLOYMENT**  
**The YANCEY/BURNSVILLE CHAMBER OF COMMERCE**  
 is accepting applications for the position of Executive Director  
 For this permanent, full-time position, eligible candidates must be action-oriented, entrepreneurial, adaptable, innovative, self-directed, with strong interpersonal and communication skills, and demonstrate the ability to:  
 • set and meet project deadlines.  
 • manage a budget.  
 • manage large public events.  
 • supervise/coach/grow one or more employees.  
 • use exemplary professional skill in written and verbal communications.  
 • work well without close supervision.  
 • multitask.  
 • demonstrate success partnering with a large, diverse group of stakeholders such as government officials, membership, local businesses, and community members.  
 • facilitate, lead, and interact with the activities of several committees, volunteers, and business groups in the community.  
**EDUCATION AND EXPERIENCE REQUIREMENTS:**  
 Bachelor's Degree and/or comparable experience in marketing, management, and communications, plus a proven track record working with a board of directors. Position may require some travel. All applicants recommended for hire will be subject to a criminal background check. Salary commensurate with experience.  
 The Yancey/Burnsville Chamber of Commerce is an Equal Opportunity Employer.  
 Mail resume' to  
**Yancey/Burnsville Chamber of Commerce**  
**ATTN: Executive Committee**  
**106 W. Main Street**  
**Burnsville, NC 28714**

## Legal Notice

PURSUANT TO NCGS 160a-364: The public shall take notice that on June 4, 2020 at 6:00 p.m., the Burnsville Town Council will hold a public hearing during the regular monthly business meeting in the Town Center at 6 South Main Street, Burnsville, North Carolina. The purpose of the public hearing is to take public comment on proposed amendments to the Sign Ordinance and Zoning Ordinance for the Town of Burnsville. Due to the Covid 19 pandemic, the meeting will be closed to all members of the public. The public may listen to the meeting on YouTube at the Burnsville Town Center Channel. Comments for the public hearing may be submitted in writing as follows:  
 Members of the public wishing to make comment on the amendments may do so at

any time after this notice appears in the newspaper up and until 24 hours after the public hearing ends. Written comments may be submitted to publiccomment@townofburnsville.org. Please specify in your email which public hearing you are making comment on.  
 The proposed amendments are as follows:

### Sign Ordinance Amendments.

1. Amend the definitions to remove the following regulatory language from section 1.3 Definitions- Electronic Message Boards and placing the same language within the revised Chart for the zoning districts:

Electronic Message Boards shall be limited to light emitting diode (LED) or liquid crystal display (LCD) boards and shall not contain any scrolling, moving or animated display. The minimum time between any display change shall be three seconds for onsite commercial signs.

2. Section 1.7.5-Size and Location Requirements: The redundant text of A, B, B(i), B(ii) and B(iii) shall be deleted as the same appears within the Sign Regulation Chart located in section 1.7.5. The text in D shall be amended to read "Properties shall be subject to the sign regulations set out in the Sign Regulation Chart below based on the zoning district they are located within. The Chart is amended to include the existing regulations for zoning districts C-3 and R-10 which previously were not contained in the Sign Regulation Chart.

### Zoning Ordinance Amendments

1. Article 4 Section 401-Definitions: The following definition shall be added as section 401.49.1 Modular Homes-Modular home means a dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Off Frame Modular Homes are lifted by crane and placed on a required permanent foundation. On Frame Modular Homes consist of two or more sections transported to the site in a manner similar to manufactured homes or may consist of a series of panels or room sections transported on a truck and erected or joined together on the site.  
 2. Article 8 Section 800-

R-10 Residential District: The following shall be added to permitted uses in R-10 Residential District section 1(a) Modular Homes-single family dwellings: ANY homes constructed of closed construction at an off-site location, of any size, are permitted subject to the following special requirements:

a. The Home must be of off frame construction.

b. The Home must meet all requirements of any currently used addition of North Carolina State Building Residential Code and be permitted by the local building official having jurisdiction over the building site.

c. The Home is constructed, inspected and certified under the North Carolina Modular Construction Program.

d. The Home must meet the minimum construction and design standards for modular homes pursuant to NCGS 143-139.1.

e. The Home must meet local zoning and set back requirements as set forth in the Zoning Ordinance for the Town of Burnsville.

f. The Home must meet community protective covenant requirements as applicable.

g. On Frame Modular Homes are permitted in mobile home parks subject to the provisions for mobile home parks in the Town of Burnsville Zoning Ordinance.

h. Structures constructed at an off-site location that do not meet the above requirements and were not originally constructed for use as dwellings are prohibited.

3. Article 9-Design Guidelines: The following shall be deleted and removed from Article 9:

a. The Land Use Density, Yard and Height Requirement Chart and the footnotes thereto.

4. Article 10-General Provisions: The following shall be added to Article 10 as new section 1000-A:

a. The Land Use Density, Yard and Height Requirement Chart and the footnotes thereto (previously shown in Article 9).

5. References to the Article 9 Density, Yard and Height Requirement Chart throughout the Zoning Ordinance are hereby deleted and shall be amended to reflect "Section 1000-A" for location reference conformity.

6. Article 8 Section 804 C-3 District: Section 2 conditional uses shall add the following as 2(c):

Accessory buildings to existing or newly constructed single-family dwellings including garage apartments as defined in Article 4 may be permitted upon the following conditions:

i. Such uses or structures shall be located in the rear

yard.

ii. Such uses or structures shall maintain a minimum setback of five (5) feet from rear lot lines and shall observe setback requirements from all other lot lines as specified in Article 10 Density, Yard and Height Requirement Chart.

iii. No accessory uses or structures situated on a corner lot shall extend beyond the front yard line required for abutting property on the side street.

iv. No greenhouse heating plant shall be located within twenty-five (25) feet of any lot line.

v. Such uses or structures shall be located not less than ten (10) feet from the principal building.

A copy of the proposed amendments under consideration are available for review on the Town's website. All interested parties are encouraged to attend. Individuals requiring special accommodations for this meeting, or for other questions and concerns, please contact the Town Clerk at (828) 682-2420.  
 Published May 13, 20, 2020

**LEGAL NOTICE**  
**THE GREAT STATE OF**  
**NORTH CAROLINA**  
**IN THE COUNTY OF**  
**YANCEY**  
**IN THE GENERAL COURT**  
**OF JUSTICE**  
**SUPERIOR COURT DI-**  
**VISION, BEFORE THE**  
**CLERK**  
**20 E 97**

**In the Matter of the Estate of**  
**JAMES VICTOR**  
**GARDNER, Deceased**  
**NOTICE TO**  
**CREDITORS**

HAVING QUALIFIED as Executor of the Estate of James Victor Gardner, deceased, of Yancey County, North Carolina, this is to notify all persons, firms, and corporations having claims against the estate of said decedent to present them to the undersigned on or before 14 August, 2020, or this notice will be pled in bar of their recovery. All persons indebted to the said estate please make immediate payment.

This the 13th day of May, 2020.  
 DONNY J. LAWS  
 Administrator  
 P. O. Box 397  
 Burnsville, NC 28714  
 Published: May 13, 20, 27, June 3, 2020.

**LEGAL NOTICE**  
**IN THE GENERAL**  
**COURT OF JUSTICE,**  
**YANCEY COUNTY**  
**NORTH CAROLINA**  
**SUPERIOR COURT**  
**DIVISION**  
**CREDITOR'S NOTICE**

Having qualified as the Executor of the Estate of Dorothy E. Crutchfield, deceased, late of Yancey County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned Executor, in care of John G. Kelso, Esq., Van Winkle, Buck, Wall, Starnes and Davis, P.A., Attorneys-at-Law, 11 North Market Street, Asheville, NC 28801, on or before the 22nd day of July, 2020, or this Notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.  
 Paul C. Crutchfield, Executor  
 Estate of Dorothy E. Crutchfield  
 Published April 22, 29, May 6, 13, 2020.

**MY Meds Medication**  
 MY Meds Medication and Health Ministry is a local non-profit organization that provides help to Mitchell and Yancey County residents who have no prescription health plan. If you need help paying for needed prescription medications call MY Meds office at 766-6337.

## REAL ESTATE

**FOR SALE BY OWNER:**  
 3 BR/2BA home, 1580 sq. ft., attached 2 car garage w/automatic doors, 2 fenced yards on 7/8 acres, on state road, East Yancey side of Burnsville. Washer/dryer, central heat/AC, gas fireplace. 828-208-3928, \$135,000 negotiable.  
 pd5-13

## LAND FOR SALE:

**LAND FOR SALE** 17.9 acres. Call for details 828-284-1724.  
 pd5-6

## FOR RENT

**FOR RENT:** Nice 1 and 2 bedroom apartments in Burnsville. Refrig. and stove. Call 704-575-7646.  
 #4916/6-20-09un

**NEED TO RENT NEW** or used furniture, appliances, computers, TV, DVD/VCR? Call 766-8775. Free delivery.  
 #1685/5-5un

## LEGAL NOTICE

**STATE OF NORTH CAROLINA**  
**COUNTY OF YANCEY**  
**NOTICE OF PUBLIC HEARING**

To Consider Economic Development Appropriations for The Creation of Small Business Relief Fund Loans  
 NOTICE IS hereby given by The Town of Burnsville that, pursuant to the provisions of NC Gen. Stat. 158-7.1, the Burnsville Town Council will hold a public hearing on 26 May, 2020, at 6:00 o'clock p.m. in the Burnsville Town Center located at 6 South Main Street in Burnsville, North Carolina, on a proposal to appropriate and expend town funds to create the Yancey County Covid-19 Small Business Relief Fund Loan program which will be a loan fund designed to be a flexible and rapid source of low interest loan capital to help Yancey County businesses meet pressing needs and navigate the Covid-19 crisis. The appropriation will be made in the amount of \$25,000.00 to the Yancey County Economic Development Commission for the purposes of funding the program to be operated under the direction of the Economic Development Commission consistent with guidelines to be set forth in an agreement between the Town of Burnsville and The Yancey County Economic Commission.  
 The Burnsville Town Council believes that the foregoing economic development appropriation will stimulate the local economy, increase the Town's tax base and revenues, result in the creation of new and permanent jobs in the Town, diversify the Town's economy, and promote the general welfare of the Town and its citizens. All persons interested in this incentive are invited to attend this public hearing and present their views.  
 This the 8th day of May, 2020.  
 Jeanne Martin, Town Clerk  
 Published May 13, 20, 2020

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